

ZONING CHANGE REVIEW SHEET

CASE: C814-91-0001.05 – Little Texas PUD –
Revision #5

P.C. DATE: October 23, 2007
November 13, 2007

ADDRESS: 1003 and 1005 Little Texas Lane, and 6100 North IH-35 Service Road
Southbound

OWNER & APPLICANT: PAD Investors 2000, **AGENT:** Armbrust & Brown, L.L.P.
Ltd. c/o The Gottesman Company (Amanda Morrow)
(Robert J. Liverman)

ZONING FROM: PUD-NP **TO:** PUD-NP, to amend the approved land use and
development standards for Block B, Lots 3, 4 and 6

AREA: 6.69 acres

SUMMARY STAFF RECOMMENDATION: The Staff recommendation is to grant the Applicant's requested amendment to planned unit development – neighborhood plan (PUD-NP) combining district zoning for Lots 3, 4 and 6 of Block B of the Little Texas PUD, in order to 1) increase the floor-to-area ratio to 2.0 to 1.0; 2) increased the maximum building height to 60 feet; 3) remove the following land uses from the prohibited use list: automotive rentals; automotive repair services; automotive sales and automotive washing, 4) limit automobile washing to an accessory use; 5) prohibit barbed-wire fencing of any kind; 6) on Lot 6, increase the required water quality capture volume by 10% to 1.21 inches; and 7) on Lot 6, require that any automotive use have a Stormceptor STC 450 Inlet System (or an equivalent stormwater treatment system) installed prior to the issuance of a certificate of occupancy. The stormwater treatment system is required to be a prefabricated, underground stormwater treatment system that separates oil, grease, and up to 80% of the sediment load from stormwater runoff prior to discharging the stormwater runoff into the water quality pond. The Staff recommendation is further illustrated in Exhibit B.

PLANNING COMMISSION RECOMMENDATION:

October 23, 2007: *APPROVED A POSTPONEMENT REQUEST BY THE STAFF TO
NOVEMBER 13, 2007.*

[J. REDDY, T. ATKINS – 2ND] (9-0)

November 13, 2007: *APPROVED PUD-NP DISTRICT ZONING TO AMEND THE
APPROVED LAND USE AND DEVELOPMENT STANDARDS FOR BLOCK B, LOTS 3, 4
AND 6 OF THE LITTLE TEXAS PUD, AS STAFF RECOMMENDED; BY CONSENT.*

[J. REDDY; M. DEALEY – 2ND] (9-0)

EXHIBITS TO THE STAFF REPORT:

Exhibits A and A-1: Current Zoning Map and Aerial View

Exhibit B: General Land Use Plan for the Little Texas PUD

ISSUES:

The Applicant has met to discuss this case with the Far South Austin Community Association and the Battle Bend Springs Association. A letter of support from the Battle Bend Springs Association is included at the back of the Staff packet. The Applicant and the Association have agreed to limit automobile washing to an accessory use only and prohibit barbed-wire fencing on all tracts. The Staff does not object to these agreements, and both are incorporated into the Staff recommendation.

DEPARTMENT COMMENTS:

The subject rezoning area is within the Little Texas Planned Unit Development (PUD) that includes multifamily and commercial areas, and floodplain areas of Williamson Creek. Please refer to Exhibits A, A-1 and B. The three undeveloped tracts, which are designated as "Commercial" and include a segment of the 100-year floodplain of Williamson Creek, have driveway access to Little Texas Lane and frontage along the southbound service road of IH-35. The PUD was established in April 1992 and amended in August 1997 to include the following prohibited uses, as agreed upon by the Applicant and Neighborhood representatives:

adult-oriented business
automotive sales
equipment sales

automotive rentals
automotive washing
pawn shop services

automotive repair services
equipment repair services
vehicle storage

Since the PUD was established in 1992, Lots 3 and 4 have had a floor-to-area ratio of 0.06 and 0.4 to 1 and a maximum building height of 30 feet, and Lot 6 has had a FAR ratio of 0.03 to 1 and height limit of 28 feet.

The Applicant proposes a PUD amendment in order to pursue commercial development that would include automotive uses (therefore, remove automotive rentals, automotive repair, automotive sales and automotive washing from the prohibited use list), and increase the FAR ratio to 2:1 and 60 feet of height. In consideration of the Applicant's proposal, the Staff recognizes that other similarly situated properties have GR-CO base district zoning and the Conditional Overlays along this segment of the southbound IH-35 Service Road does not limit height or FAR. In addition, Objective 3.2 of the South Congress Combined Neighborhood Plan states: "The frontage road of Interstate Highway 35 should continue as a 'motor mile'" which supports removing the four auto-related uses from the prohibited use list.

However, given that Williamson Creek is adjacent to this property, the Staff and the Applicant have discussed the need to provide environmental and water quality protections

that exceed those outlined in the Code. These include increasing the water quality capture volume by 10% on Lot 6 to 1.21 inches and requiring that automotive uses employ a Stormceptor STC 450 Inlet System (or an equivalent stormwater treatment system). This system is a prefabricated, underground stormwater treatment system that separates oil, grease, and up to 80% of the sediment load from stormwater runoff prior to discharging the stormwater runoff into the water quality pond.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	PUD-NP	Undeveloped
<i>North</i>	GR-MU-CO-NP; P-NP	Vacant restaurant; Three restaurants (general); Undeveloped; Cemetery
<i>South</i>	GR-CO-NP; PUD-NP	Automotive dealership; Stormwater facility
<i>East</i>	N/A	IH-35 Service Road Southbound
<i>West</i>	PUD-NP	Theater; Apartments

NEIGHBORHOOD PLANNING AREA: South **TIA:** Is not required
Congress Combined NPA (Sweetbriar)

WATERSHED: Williamson Creek **DESIRED DEVELOPMENT ZONE:** Yes

CAPITOL VIEW CORRIDOR: No **SCENIC ROADWAY:** No

NEIGHBORHOOD ORGANIZATIONS:

26 – Far South Austin Community Association
300 – Terrell Lane Interceptor Association
428 – Barton Springs / Edwards Aquifer Conservation District
511 – Austin Neighborhoods Council 627 – Onion Creek Homeowners Association
742 – Austin Independent School District

SCHOOLS:

Pleasant Hill Elementary School Bedichek Middle School Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C814-91-0001.04 – Little Texas PUD Revision #4	PUD-NP to PUD-NP to change conditions of zoning	Approved PUD-NP for Tract 1 of Block A to add “Mixed Use” to the Commercial designation, allow an FAR of 1:1, prohibit	Approved PUD-NP as PC recommended (10-18-07).

		pawn shops, automotive sales and automotive washing	
C14-2007-0100 – South Edge II	SF-3-NP to MF- 3-NP	To Grant MF-2-NP with conditions of right-of-way dedication for Crow Lane	Approved MF-2-NP with a Street Deed for Crow Lane as PC recommended (10-11- 07).

RELATED CASES:

The Little Texas PUD, which encompasses approximately 66 acres of land along the south side of Little Texas Lane between South Congress Avenue and the southbound IH-35 Service Road, was approved by City Council in April 1992 (Ordinance No. 920409-A). The PUD established commercial and multi-family tracts, and research indicates that Staff support was based upon the realignment of Little Texas Lane with the IH-35 frontage road in order to provide a safer separation distance, the dedication of land for a City facility (a fire station), uniform architectural controls, increased landscaping and a treescape along Little Texas Lane, preservation of the 100-year flood plain and an additional 50 foot greenbelt along its western edge, limitation of multi-family density to 23 units per acre, reduced floor-to-area ratios of 0.16 to 1.0 for commercial / retail development, 0.15 for commercial development and 0.35 FAR for office development, and berm signs.

The first amendment was approved in August 1997 and revised the Traffic Impact Analysis and Traffic Phasing Agreement and the other concerned adding a list of prohibited uses to the property at the corner of Little Texas Lane and the IH-35 Service Road (Ordinance No. 970807-E). The second amendment was approved in March 1999 and corrected scrivener's errors within the 1997 ordinance and attachments (Ordinance No. 990325-49). The third amendment occurred in November 2000 and modified the Land Use Plan to change the use of a 1.5 acre parcel adjacent to the subject amendment area from a City facility (public) to multifamily (Ordinance No. 001102-42). The fourth amendment is described in the Case Histories table above.

The Sweetbriar Neighborhood Plan Rezonings were completed on August 18, 2005 (Ordinance 20050818-Z002). The base district of the subject property did not change, and the NP combining district was added. The subject tracts are designated as Commercial and 100-year floodplain on the Future Land Use Map.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route
IH-35 Service Road Southbound	400 feet	Varies	Freeway	No	No
Little Texas Lane	64 feet	46 feet	Collector	Yes	Rt. 47

CITY COUNCIL DATE: December 13, 2007**ACTION:****ORDINANCE READINGS:** 1st 2nd 3rd**ORDINANCE NUMBER:****CASE MANAGER:** Wendy Rhoades
e-mail: wendy.rhoades@ci.austin.tx.us**PHONE:** 974-7719



Subject Tract



■ Zoning Boundary



Pending Cases

OPERATOR: S. MEEKS

ZONING

CASE#: C814-91-0001.05

ADDRESS: 1003 & 1005 LITTLE TEXAS LANE
AND 6100 N IH 35 SVC RD SB

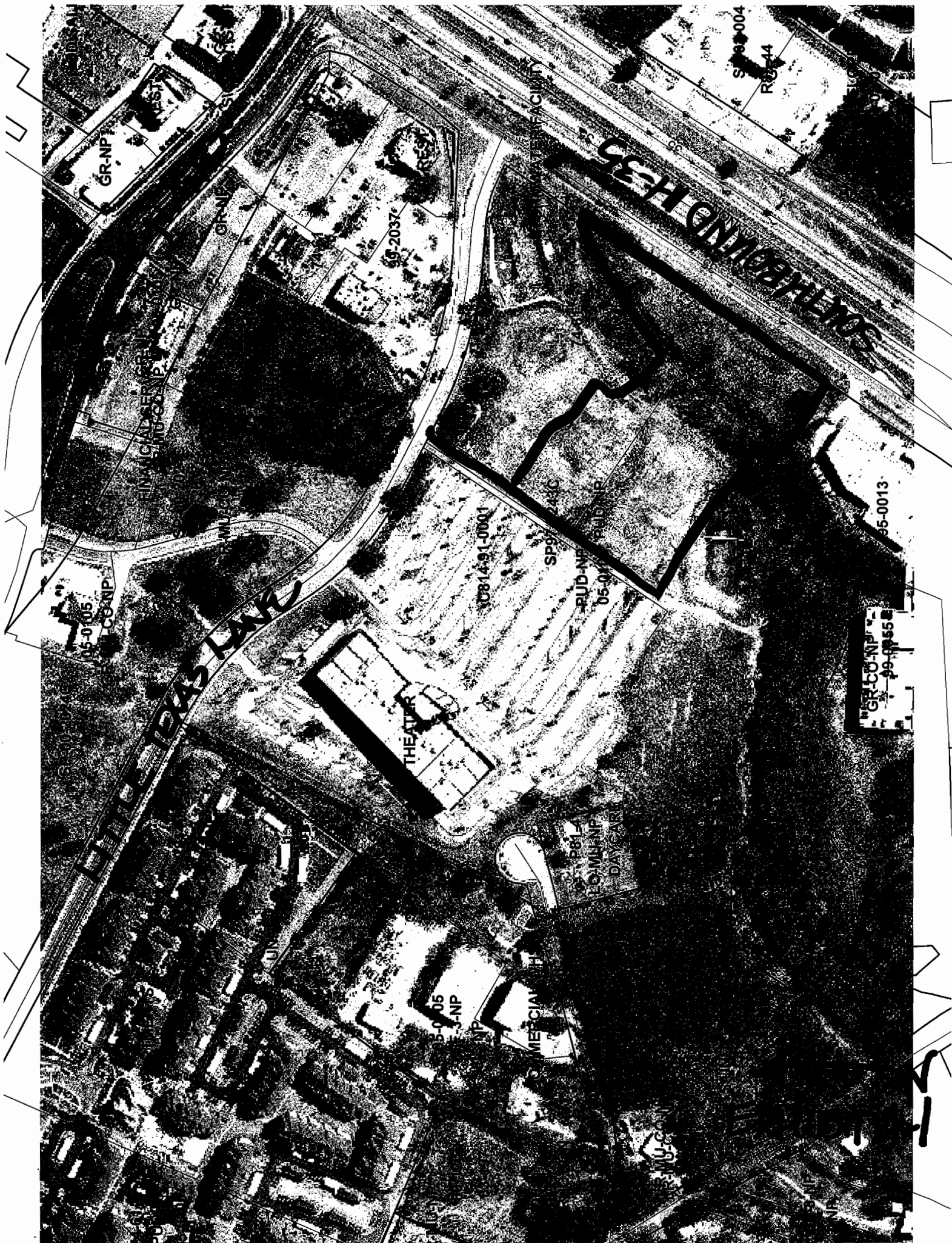
SUBJECT AREA: 6.669 ACRES

GRID: H16

OPERATOR: W. RHOADES

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





STAFF RECOMMENDATION

The Staff recommendation is to grant the Applicant's requested amendment to planned unit development – neighborhood plan (PUD-NP) combining district zoning for Lots 3, 4 and 6 of Block B of the Little Texas PUD, in order to 1) increase the floor-to-area ratio to 2.0 to 1.0; 2) increased the maximum building height to 60 feet; 3) remove the following land uses from the prohibited use list: automotive rentals; automotive repair services; automotive sales and automotive washing, 4) limit automobile washing to an accessory use; 5) prohibit barbed-wire fencing of any kind; 6) on Lot 6, increase the required water quality capture volume by 10% to 1.21 inches; and 7) on Lot 6, require that any automotive use have a Stormceptor STC 450 Inlet System (or an equivalent stormwater treatment system) installed prior to the issuance of a certificate of occupancy. The stormwater treatment system is required to be a prefabricated, underground stormwater treatment system that separates oil, grease, and up to 80% of the sediment load from stormwater runoff prior to discharging the stormwater runoff into the water quality pond. The Staff recommendation is further illustrated in Exhibit B.

BASIS FOR RECOMMENDATION*1. Zoning changes should promote an orderly and compatible relationship among land uses.*

Other similarly situated properties have GR-CO base district zoning and the Conditional Overlays along this segment of the southbound IH-35 Service Road do not limit height or FAR. In addition, Objective 3.2 of the South Congress Combined Neighborhood Plan states: "The frontage road of Interstate Highway 35 should continue as a 'motor mile'" which supports removing the four auto-related uses from the prohibited use list.

As Williamson Creek adjoins this property, additional environmental and water quality protections will be provided that exceed those outlined in the Code. These include increasing the water quality capture volume by 10% on Lot 6, and requiring that automotive uses employ a Stormceptor STC 450 Inlet System (or an equivalent stormwater treatment system). This type of system is a prefabricated, underground stormwater treatment system that separates oil, grease, and up to 80% of the sediment load from stormwater runoff prior to discharging the stormwater runoff into the water quality pond.

EXISTING CONDITIONS**Site Characteristics**

The subject property is undeveloped and drains towards Williamson Creek.

Impervious Cover

The maximum impervious cover allowed by CS or GR base zoning district would be 80%, which is based on the more restrictive watershed regulations, as described below.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Williamson Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is no floodplain within, or adjacent to the project boundary.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

Transportation

The TIA as approved in July 1997 permitted 7,298 trips per day for the Tracts 3, 4, and 6 Block B. With the proposed land use changes to these lots, the trips generated will be 4,176 per day. Therefore, the TIA was waived for this revision because the number of trips will be reduced from the previously approved TIA.

The Little Texas PUD plan has a cumulative trip limit of 1,753 trips in the peak hour as part of the phasing agreement. With this amendment, the total number of peak hour trips is within the limit.

This site is still subject to all of the conditions assumed in the original TIA.

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at his own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocation, and utility abandonment. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Site Plan and Compatibility Standards

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations. This site is not within 540 feet of SF-6 or more restrictive zoning.

Rhoades, Wendy

From: Amanda Morrow [amorrow@abaustin.com]
Sent: Wednesday, November 07, 2007 2:33 PM
To: Rhoades, Wendy
Subject: Little Texas

Wendy,

Okay, I think I just might have something that could worked. I'm keeping my fingers crossed:

Any automotive use located on Lot 6, Block B will require the installation of a Stormceptor STC 450 Inlet System (or an equivalent stormwater treatment system), which is a prefabricated, underground stormwater treatment system that separates oil, grease, and up to 80% of the sediment load from stormwater runoff prior to discharging the stormwater runoff into the water quality pond.

*Amanda Morrow
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November 10, 2007

Ms. Wendy Rhoades
Neighborhood Planning and Zoning Department
505 Barton Springs
Austin, Texas 78701

Dear Ms. Rhoades:

This letter is to support the proposed zoning changes Ms. Amanda Morrow from Armburst and Brown will submit to the Planning Commission concerning the Little Texas P.U.D.

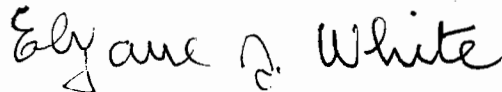
Ms. Morrow met with Board Members of the Battle Bend Springs Homeowners Association (BBSHOA) on October 30, 2007 to explain the proposed zoning changes and it is our understanding that the zoning changes are needed to make the three commercial sites near the corner of Little Texas Street and South IH35 more attractive to potential buyers. The BBSHOA Board Members support the proposed changes of increasing the building height to 60 feet, increasing the floor to area ratio to 2 to 1 and allowing automotive use on the sites.

Ms. Morrow also acknowledged our concerns of what we would not like to see on these commercial sites. We would not like to see a stand-alone car wash business (unless the car wash is part of a dealership business), we would not like to see barbed wire fences on these sites and we would not like to see large inflatable signs (i.e. large pink gorilla).

We appreciate the time Ms. Morrow spent with us to clarify and lay to rest our past concerns. Our earlier concerns included water pressure problems in our neighborhood from large businesses and water run-off problems into our Greenbelt area from businesses that may lay large areas of concrete.

In conclusion, please accept this letter of support for the proposed zoning changes to be submitted by Ms. Morrow to the Planning Commission concerning the Little Texas P.U.D.

Sincerely,

A handwritten signature in cursive script that reads "Elyane White". The signature is written in dark ink and is positioned below the word "Sincerely,".

Mrs. Elyane White, President
BBSHOA

cc: Ms. Amanda Morrow